

***Army in Europe Regulation 190-6**
***USNAVEUR Instruction 5300.15L**
***USAFE Instruction 31-205**

Military Police

Registration and Control of Privately Owned Firearms and Other Weapons in Germany

6 December 2002

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Summary. This publication provides policy and procedures for acquiring, registering, storing, shipping, and exporting privately owned firearms (POFs) and ammunition in Germany.

Summary of Change. This revision eliminates policy on shipping ammunition (app B). Ammunition may no longer be shipped.

Applicability. This publication applies to the following persons who are assigned, employed, or reside within the geographic boundaries of Germany, and their family members (U.S.-German Agreement on Privately Owned Firearms):

- Members of the U.S. Forces and civilian components.
- Personnel with status under article 71, 72, or 73 of the Supplementary Agreement to the NATO Status of Forces Agreement for Germany.

NOTE: Exceptions to this publication may apply when the sponsor is employed by, assigned to, or attached to U.S. diplomatic or consular offices, military missions, offices of defense cooperation, or military assistance advisory groups.

Supplementation. Commanders will not supplement this publication without Office of the Provost Marshal (OPM), HQ USAREUR/7A (AEAPM-S-VR), approval. Issuing Navy supplements or other implementing directives by Navy elements will be as prescribed by the COMUSNAVEUR. Air Force supplements to this publication issued by USAFE units will be sent through channels to HQ USAFE/SP (SPOS), Unit 3050, Box 15, APO AE 09094-5001.

Forms. Paragraph 5 lists forms prescribed by this publication. AE and higher-level forms are available through the USAREUR Publication Systems (UPUBS).

Records Management. Records created as a result of processes prescribed by this publication must be identified, maintained, and disposed of by--

- Army in Europe units according to AR 25-400-2. File numbers and descriptions are available on the United States Army Records Management and Declassification Agency website at <http://www.rmda.belvoir.army.mil>.
- USAFE units according to Air Force Manual 37-139.

Suggested Improvements. The proponent of this publication is the OPM (AEAPM-S-VR, DSN 386-7271). Users may suggest improvements to this publication by sending a DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the OPM, HQ USAREUR/7A (AEAPM-S-VR), Unit 29230, APO AE 09102-9230.

Distribution. C (UPUBS). This publication is available only in electronic format.

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SECTION I

GENERAL

1. PURPOSE

This publication prescribes--

- a. Policy and procedures for--

- (1) Acquiring, registering, and disposing of privately owned firearms (POFs).

(2) Introducing POFs into Germany.

(3) Importing or reintroducing POFs into the United States.

(4) Certifying AE Form 190-6D, Part B (Application for Issuance of a Permit Pursuant to the Weapons Law (*WaffG*)/*Antrag auf Erteilung einer Erlaubnis nach dem Waffengesetz (WaffG)*). This includes conducting a background name check using the National Instant Criminal Background Check System (NICS) as a basis for certifying AE Form 190-6D, Part A (Application for/Authorization to Conduct Background Investigation).

b. Controls for possessing, using, and carrying POF ammunition, destructive devices, and other weapons.

2. REFERENCES

Appendix A lists references.

3. EXPLANATION OF ABBREVIATIONS AND TERMS

The glossary defines abbreviations, special terms, and German words used in this publication.

4. RESPONSIBILITIES

a. The CG, USAREUR/7A, will register and control POFs and other weapons as prescribed in this publication (USEUCOM Dir 45-7).

b. The Deputy Chief of Staff, Personnel, USAREUR, will develop policy and procedures for operating rod and gun clubs (RGCs) under U.S. Army jurisdiction.

c. The Provost Marshal, USAREUR, will--

(1) Operate and maintain a central registry of POFs owned by members and organizations of the U.S. Forces in Germany.

(2) Send a notice to the commander of each person who registers a POF or amends a valid POF registration for any reason.

(3) Send a monthly inventory list of all firearms registered with an RGC to the appropriate commander in supervision of the RGC (subpara f).

d. The Deputy Chief of Staff, Morale and Welfare, USAFE, will develop policy and procedures for operating RGCs under USAFE jurisdiction.

e. The Director, Customs Executive Agency (CEA), Office of the Provost Marshal (OPM), HQ USAREUR/7A, will update the following portions of this publication as needed:

(1) Importing and reimporting POFs into the customs territory, United States (CTUS) (app B).

(2) Importing POFs into Germany (para 8).

f. Commanders of organizations or units operating RGCs will closely supervise these activities. These commanders will ensure that--

(1) Firearms and ammunition acquired and stocked in RGCs are properly accounted for and secured.

(2) Acquired firearms are registered at the local field registration station (FRS) immediately on receipt.

(3) Firearms are not offered for sale until they are registered ((2) above).

(4) Monthly inventory lists are reconciled with the Registry of Motor Vehicles (RMV), OPM.

(5) Physical security requirements are met in accordance with AR 190-13 or USAFE Supplement 1 to Air Force Instruction (AFI) 31-209.

g. The persons in (1) through (5) below are the approval authorities for AE Form 190-6D, AE Form 190-6H(a) (Commander's Statement of Reliability/*Unbedenklichkeitsbescheinigung*), AE Form 190-6H(b) (Commander's Statement of Reliability/*Unbedenklichkeitsbescheinigung*), and AE Form 190-6D, Part B. They may not delegate this approval authority. No individual may approve his or her own application. Officers holding positions over those listed below may approve applications for personnel in those positions.

(1) Area support group commanders.

(2) Base support battalion commanders.

(3) Battalion-level commanders in USAREUR.

(4) The CG, USAREUR/7A, Liaison Officer at the American Embassy in Berlin.

(5) The first O5 commander in the applicant's (or applicants sponsor's) chain of command in USNAVEUR and USAFE.

5. FORMS

This publication prescribes the following forms:

- a. AE Form 190-6A (Firearms Retention Authorization/*Waffenbesitz-Genehmigung*).
- b. AE Form 190-6B (Privately Owned Firearms Registration).
- c. AE Form 190-6D (USAREUR Application for Registration of a Firearm).
- d. AE Form 190-6D, Part A (Application for/Authorization to Conduct a Background Investigation).
- e. AE Form 190-6D, Part B (Application for Issuance of a Permit Pursuant to the Weapons Law (*WaffG*)/*Antrag auf Erteilung einer Erlaubnis nach dem Waffengesetz (WaffG)*).
- f. AE Form 190-6E (Firearms Register).
- g. AE Form 190-6F (Certification of Release/Donation of POF).
- h. AE Form 190-6G (Weapons Bill of Sale/*Schusswaffen Kaufvertrag*).
- i. AE Form 190-6H(a) (Commander's Statement of Reliability/*Unbedenklichkeitsbescheinigung*) (for military personnel and civilian employees).
- j. AE Form 190-6H(b) (Commander's Statement of Reliability/*Unbedenklichkeitsbescheinigung*) (for family members).
- k. AE Form 190-6J (Request for Privately Owned Firearm Cancellation).
- l. AE Form 190-6K (Certificate of Examination Regarding Technical Knowledge/*Prüfungszeugnis nach Lehrgang über Sachkunde*).
- m. AE Form 190-6L (Certificate of Need/*Bedürfnisnachweis*).

6. POLICY

a. Persons specified in the applicability statement at the beginning of this publication may acquire, own, and register POFs (except for POFs listed as prohibited items in the glossary) unless a competent authority (glossary) denies this entitlement.

b. Reservists may not purchase POFs from RGCs when they are on active duty unless their tour of duty is for more than 1 year and they are in possession of a *Jadgschein* (German hunting license) or a *Waffenbesitzkarte* (German weapons possession card).

c. No person may--

(1) Possess a POF (including electrically charged or battery-operated stun guns) for self-defense or for protecting persons or property.

(2) Carry a concealed POF.

(3) Carry a POF while performing official duties.

(4) Acquire, register, or possess POFs if they are--

(a) Under 18 years old.

(b) Under 21 years old, unless the POF is a rifle, shotgun, air pistol, air rifle, or paintball gun. Air pistols, air rifles, and paintball guns are not required to be registered in the U.S Forces or German system.

(c) Under charges for or have ever been convicted in a court of law for a crime punishable by confinement for 1 year or more as listed in the Manual for Courts-Martial or for a similar offense listed in the United States Code (USC).

(d) Determined to be of doubtful character or reliability, lack good judgment, or lack the responsibility necessary to use a firearm safely (d below).

(5) Acquire, possess, use, or carry a POF that has not been registered according to this publication.

(6) Acquire, possess, use, or carry at any time any destructive device or other prohibited item (glossary), except as required for official duties while in the geographic area of Germany.

(7) Acquire, possess, handle, or transport propellant powder, except as authorized by a valid *Sprengstoffwerbsschein* (gunpowder permit) issued by German authorities.

(8) Produce ammunition (including reloading) except at RGCs that have an established reloading program (app C).

d. The determination in subparagraph c(4)(d) above will be made by an officer in the grade of O4 or higher who is nearest in the chain of command or supervision over the person concerned (or that person's sponsor).

(1) Only the following may be used as a basis for the determination:

(a) Abuse of alcohol, drugs, or a substance having similar effects.

(b) Habitual violence.

(c) Misconduct bearing a reasonable and substantial relationship to individual qualifications.

(2) The person concerned will be informed in writing of the determination. The decision may be appealed to an officer in the grade of O6 or higher who is nearest in the chain of command or supervision over the officer who made the adverse determination. The decision of the appellate authority will be final.

e. Persons and organizations will--

(1) Register their POFs unless the firearms are physically outside of Germany. This requirement also applies to persons who act as agents to acquire firearms for other individuals or organizations. When a person acquires a firearm on behalf of an RGC, sport center, or other organization, he or she must register the firearm using "custodian" as the name of the owner (for example, Name: Custodian, Organization: Heidelberg Rod and Gun Club).

(2) Promptly present appropriate documents showing authorization to acquire, register, or keep any POF in their possession to the following on request:

- (a) Military police or security force officers.
- (b) Unit commanders.
- (c) Investigative personnel of any military service.
- (d) Civilian police officers.

f. Approval authorities (para 4g) will--

(1) Become familiar with the *WaffG*, section 5, before approving AE Form 190-6D, AE Form 190-6H(a), or AE Form 190-6H(b). Appendix D is a translation of section 5.

(2) Approve these forms ((1) above) only after certifying that the applicant has completed a NICS check and has been authorized to “proceed” with the application for a permit. The “proceed” will be indicated by an appropriate remark on AE Form 190-6D, Part A, by the RMV. In addition, AE Form 190-6H(b) will be approved only after certification by a county sheriff or U.S. Forces local legal liaison authority (LLLA). USAREUR Regulation 550-56/USNAVEUR Instruction 5820.13E/USAFE Instruction 51-705, appendix B, lists LLLAs by area of responsibility.

(a) The certification will state that to the knowledge of the certifying official, the applicant has not been or is currently not under investigation for any offense listed in appendix D during the past 5 years.

(b) It is the responsibility of the individual family member applicant to secure the certification of the LLLA or county sheriff on the AE Form 190-6H(b). This certification provides an additional basis for determining reliability. This additional criterion is required because no personnel records are routinely available on family members for review by responsible approval authorities.

(3) Certify AE Form 190-6D, Part B, by issuing a statement of reliability (AE Form 190-6H(a) or AE Form 190-6H(b)) only when, in the judgment of the approval authority, the applicant meets all the requirements in subparagraph g below. In validating the applicant’s ability to meet these requirements, the approval authority should review the applicant’s military personnel record jacket (MPRJ) or equivalent civilian personnel files and conduct a local police check. Approval authorities may rely on endorsements from trusted officials, including the certification of the LLLA or county sheriff ((2) above), may ask that the applicant demonstrate the required abilities to a representative of the approval authority, or may rely on their own judgment of the applicant’s ability.

g. Applicants must--

- (1) Be at least 18 years old.
- (2) Be reliable and physically fit.
- (3) Not have had a weapons permit (AE Form 190-6D, Part A, or AE Form 190-6D, Part B) previously withdrawn.
- (4) Use weapons and ammunition carefully.
- (5) Handle and store weapons and ammunition properly.
- (6) Prohibit others who do not have the legal authority to use weapons and ammunition from using the applicant’s weapons and ammunition.
- (7) Have no record of--
 - (a) Convictions of the offenses listed in appendix D.

(b) Criminal offenses under the influence of alcohol.

(c) Serious or frequent law violations.

(d) Criminal offenses against hunting laws, nature-protection laws, laws on arms, the German Federal Arms Act, the German Arms Control Act, or the German Explosives Act.

(8) Be of sound mental health and have no record of being declared by a court of competent jurisdiction to lack legal capacity.

(9) Be free from addiction to alcohol or drugs.

(10) Have one or both of the following:

(a) A valid *Ausländerjagdschein* (German foreigners hunting license). USAREUR Regulation 215-145/USAFE Instruction 34-104 provides application procedures.

(b) A *Bedürfnisnachweis* (certificate of need) (AE Form 190-6L).

1. Sports shooters who have been active participants in an RGC shooting program at least once a month for 6 months and who have successfully completed the U.S. Forces technical knowledge examination for sport shooting (AE Form 190-6K) may obtain a *Bedürfnisnachweis* from an RGC.

2. Collectors who have successfully completed the U.S. Forces technical knowledge examination (AE Form 190-6K) may obtain a *Bedürfnisnachweis* from the component weapons authority according to the *WaffG*, paragraph 28 to paragraph 2, number 2.

NOTE: If the applicant has been convicted of offenses listed in appendix D or if the applicant has ever been convicted of an offense and sentenced to confinement by a court of competent jurisdiction, approval authorities may not approve the person's application until 5 years after completion of the confinement.

SECTION II ACQUISITION AND SALE

7. AUTHORITY

An approved AE Form 190-6D is required for persons to acquire and register a firearm.

NOTE: Personnel with identification cards valid for 1 year or less will not be permitted to acquire or register a POF.

8. IMPORTING POFs INTO GERMANY

a. POFs not classified as prohibited items (glossary) may be imported into Germany if the owner possesses a *Waffenbesitzkarte*.

b. POFs imported into Germany at Government expense on AE Form 55-355M (Import/Export Customs Declaration (Numbered)) after the owner obtains a *Waffenbesitzkarte* as part of household goods (HHG) or unaccompanied baggage do not require an AE Form 2075 (Application for Import/Export Certificate/Purchase Permit). AE Form 2075 is required when unaccompanied baggage is not imported at Government expense using AE Form 55-355M, or when a POF is personally imported (handcarried) in accompanied baggage.

9. ACQUISITION, STOCK, AND SALE OF FIREARMS BY U.S. FORCES ACTIVITIES

a. Only RGCs may sell firearms and parts and ammunition for firearms. RGCs will not acquire, stock, sell, or offer for sale--

(1) Any destructive device or prohibited item listed in the glossary.

(2) Pistols or revolvers that do not meet factoring criteria prescribed by the U.S. Bureau of Alcohol, Tobacco, and Firearms (BATF) for import into the United States (table 1).

b. After receiving firearm shipments, RGC personnel will--

(1) Verify firearm serial numbers.

(2) Immediately register the firearms at the local FRS.

c. RGCs must meet the physical-security standards for protecting U.S. Government arms and ammunition prescribed in--

(1) AR 190-13 for clubs operated by Army in Europe elements.

(2) AFI 31-209 and USAFE Supplement 1 for clubs operated by USAFE elements.

d. RGC personnel will sell ammunition only to persons who have a valid POF registration with the U.S. Forces and a *Waffenbesitzkarte*. Ammunition may also be sold for immediate use with RGC-owned weapons or POFs stored at the RGC for sport shooting on the club ranges.

(1) The *Waffenbesitzkarte* will indicate the caliber or gauge of the ammunition the buyer desires to purchase.

(2) RGC personnel will sell propellant powder (black or smokeless) to patrons only when the prospective buyer has a valid *Sprengstoffwerbsschein* authorizing the acquisition of propellant powder. German law requires that when a sale to an authorized buyer is made, the buyer's *Sprengstoffwerbsschein* will be annotated to show--

(a) The amount of powder sold.

(b) The date of sale.

(c) The name and address of the seller.

(3) Active-duty general officers, criminal investigation division agents, and military intelligence agents authorized to carry concealed weapons may buy ammunition for their service-issued pistols only after they show proper identification.

e. RGCs will use AE Form 190-6E to record firearms acquired, sold, or otherwise disposed of. These forms will be kept for at least 4 years after the last line-entry is completed. Weapons received from any source in any manner will be listed immediately in this register.

f. When transferring firearms from one RGC to another, the receiving RGC will immediately register them with the local FRS. The receiving RGC representative will enter the name of the RGC from which the weapon was received in block 20 of AE Form 190-6D.

g. In Germany, when retired U.S. Forces personnel who do not qualify as members of the civilian component or as spouses according to international agreements want to acquire a firearm, RGCs will require these personnel to possess--

(1) DD Form 2 (RET) (United States Uniformed Services Identification Card (Retired)).

(2) A valid German customs certificate.

(3) A *Waffenbesitzkarte* issued by local German police authorities normally at an *Amt für Öffentliche Ordnung* (German registration office).

Table 1
Factoring Criteria for Pistols and Revolvers

Pistol Model	Revolver Model
Individual characteristics and factor allowance	Individual characteristics and factor allowance
Overall length For each ¼ inch over 6 inches (1 value)	Barrel length (muzzle to cylinder face) For each ¼ inch over 4 inches (½ value)
Frame construction Investment cast or forged steel (15 value) Investment cast or forged high tungsten steel alloy (20 value)	Frame construction Investment cast or forged steel (15 value) Investment cast or forged high tungsten steel alloy (20 value)
Weapon weight with magazine (unloaded) per ounce (1 value)	Weapon weight (unloaded) per ounce (1 value)
Caliber .22 short and .25 auto (0 value) .22 long rifle and 7.65 mm to .38 mm automatic (3 value) 9 mm Parabellum and over (10 value)	Caliber .22 short to .25 accelerating copper-plated (0 value) .22 long rifle and .30 - .30 Smith & Wesson (3 value) .38 special (4 value) .357 Magnum and over (5 value)
Miscellaneous equipment External hammer (2 value) Double action (10 value) Drift adjustable target sight (5 value) Click adjustable target sight (10 value) Target grips (5 value) Target trigger (2 value)	Miscellaneous equipment Adjustable target sights (drift or click) (5 value) Target hammer and target trigger (5 value)
Safety features Locked breech mechanism (5 value) Loaded breech mechanism (5 value) Grip safety (3 value) Magazine safety (5 value) Firing pin block or lock (10 value)	Safety tests A double-action revolver must have a safety feature that automatically (or in a single-action revolver by manual operation) causes the hammer to retract to a point where the firing pin does not rest on the primer of the cartridge. The safety device must withstand the impact of a weight equal to the weight of the revolver dropping from a distance of 36 inches in a line parallel to the barrel on the rear of the hammer spur, a total of five times.
Prerequisites for import 1. The pistol must have a positive, manually operated safety device. 2. The combined length and height must exceed 10 inches with the height (right angle measurement to barrel without magazine or extension) being at least 4 inches and the length being at least 6 inches.	Prerequisites for import 1. The revolver must pass safety test. 2. The revolver must have an overall frame (with conventional grips) length (not diagonal) of at least 4½ inches. 3. The barrel must have a length of at least 3 inches.
Score achieved Qualifying score is 75 value	Score achieved Qualifying score is 45 value

NOTES: 1. Any person who needs technical advice on the factoring criteria in this table should contact the nearest U.S. Forces RGC.
2. The BATF reserves the right to prevent importation of any revolver or pistol that achieves an apparent qualifying score but does not adhere to the provisions of section 925(d)(3), title 18, chapter 44, USC (amended).

10. TRANSFER OF OWNERSHIP

a. A weapons owner may sell or otherwise transfer ownership of a firearm to another person who has an approved AE Form 190-6D and a valid *Waffenbesitzkarte*. To sell or transfer a firearm--

(1) The buyer and seller must be present at the FRS.

(2) The seller must complete two copies of AE Form 190-6G (one copy for the buyer and one for the seller).

(3) The buyer will present an approved AE Form 190-6D and proof of a valid *Waffenbesitzkarte* to FRS personnel for actions required by paragraph 14.

(4) The seller will surrender the current AE Form 190-6B to FRS personnel. FRS personnel will--

(a) Mark the AE Form 190-6B "VOID".

(b) Indicate the reason for the voiding action.

(c) Show the date of the transaction.

(d) Send the AE Form 190-6B and the buyer's original AE Form 190-6D and a copy of the *Waffenbesitzkarte* to the OPM, HQ USAREUR/7A (AEAPM-S-VR/Weapons Section), Unit 29230, APO AE 09102-9230, within 3 workdays after the firearm transfer.

b. In addition to subparagraph a(1) and (2) above, the following requirements apply to the sale of firearms in Germany to an individual who is not subject to this publication (for example, local national, U.S. tourist):

(1) The firearm must have been possessed by authorized personnel in Germany for at least 6 months.

(2) The seller must present an AE Form 2074 (Permit to Transfer) validated by the CEA and German customs authorities (USAREUR Reg 550-175/USNAVEUR Inst 5840.1D/USAFE Reg 30-15). The AE Form 2074 must be completed and certified before the actual transfer of the weapon between parties.

(3) The buyer must possess a valid *Waffenbesitzkarte* and *Waffenerwerbsschein* (permit to purchase).

(4) The seller must surrender the current AE Form 190-6B to the FRS personnel for actions required by subparagraph a(4) above. The buyer's AE Form 190-6D need not be sent to the RMV.

SECTION III REGISTRATION

11. GENERAL

a. When a firearm is acquired in Germany, the owner must present an approved AE Form 190-6D to an FRS (USAREUR Reg 190-1/USNAVEUR Inst 11240.6M/USAFE Inst 31-202) before taking possession of the firearm. For Air Force personnel, the registration requirements in AFI 31-209 also apply.

b. The owner must apply for a background check. Anyone with a citizenship other than the United States must have an Immigration and Naturalization Service (INS)-issued number accompany their background check or the background check cannot be processed. Procedures for processing these applications (AE Form 190-6D, Part A) are as follows:

(1) Applicants will submit AE Form 190-6D, Part A, to the RMV. These applications are considered to be requests for information in connection with the issuance of a license or permit to acquire or possess firearms under 28 CFR 25.6(j)(1) authorizing access to NICS information.

(2) The RMV will inform individuals who receive a “proceed” as a result of a NICS query of the “proceed” authorization. NICS will release to the RMV its standard report in the same manner as to Federally licensed firearm dealers in the United States.

(3) When a “deny” response is received, the Provost Marshal, USAREUR, will provide that information to the provost marshal (PM) or chief of security forces (CSF) office with geographic area of responsibility for the applicant. The initial denial will be considered written notice that the applicant has been “determined to be of doubtful character or reliability, lack of good judgment, or lack the responsibility necessary to use a POF safely.” On notification of the initial denial, applicants will temporarily surrender any POF in their possession to the unit commander or civilian supervisor pending final outcome of the appeal process in (4) below.

(4) Applicants may appeal a denial by NICS as set forth in 28 CFR, part 25.10. A fingerprint card may be completed on request of applicants who receive a “deny” response. Fingerprints are “positive identification” used by the Federal Bureau of Investigation (FBI). This fingerprinting process is intended to determine if the fingerprints match automated records on file with the FBI.

(5) If the applicant does not wish to proceed with an appeal of a denial, or if an appeal is denied, POFs will be maintained by the commander or supervisor pending appropriate disposition as arranged by the owner. A “deny” response from the FBI without more information is not reasonable cause to believe that an individual has a qualifying conviction under the Lautenberg Amendment (18 USC para 922(d)(9)). Commanders and supervisors should always seek the advice of their servicing judge advocate to determine whether reasonable cause exists.

(6) The Provost Marshal, USAREUR, will use NICS according to NICS operations policy and AR 190-27.

c. Persons in (1) through (3) below may not register firearms under this publication. They must comply with the registration requirements of the country where they reside or that they are visiting.

(1) Retired personnel who do not otherwise have status under 18 USC 921 through 928.

(2) Other persons who are not entitled to treatment as members of the Force, members of the civilian component, or dependents under the NATO Status of Forces Agreement and Supplementary Agreement.

(3) Reservists on active duty for less than 1 year.

12. PROOF OF OWNERSHIP

a. Individual ownership or the authority to possess a firearm will be substantiated for registration by one of the following:

(1) A properly completed *Schusswaffen Kaufvertrag*, sales slip, bill of sale, contract, lease bailment, gift certificate, power of attorney, or other document clearly showing the holder’s legal claim to possession or ownership.

(2) An affidavit completed by the registrant describing the firearm and stating that the registrant owns the firearm and has brought the firearm into the command.

(3) A properly completed AE Form 190-6D.

(4) A valid AE Form 190-6B.

(5) A valid *Waffenbesitzkarte*.

b. The FRS and persons authorized to approve AE Form 190-6D will require presentation of the documents in subparagraph a(1) or (2) above.

13. VALIDITY OF REGISTRATION

a. POF registrations (AE Form 190-6B) are valid for 4 years from the date of registration.

b. A renewal notice for each POF registration will be mailed to the POF owner within 75 days before expiration. The owner must complete the form, sign it, and return it to the RMV before the original registration expires.

14. REGISTRATION AND RENEWAL PROCEDURES

a. To register POFs, applicants must--

(1) Have proof of ownership (para 12).

(2) Complete an AE Form 190-6D for each firearm to be registered. AE Form 190-6D may be obtained from FRSs, RGCs, the applicant's unit, or other offices designated to maintain a supply of this form. The form is also available at <https://upubs.army.mil>. The applicant should complete only section A of the AE Form 190-6D.

(3) Submit the completed AE Form 190-6D ((2) above) with proof of ownership to the approval authority. The approval authority will complete section B.

(4) If the firearm (other than antiques defined by DOD 4500.9-R, chapter 503) does not have a serial number, have the first letter of their last name and the last four digits of their social security number (SSN) stamped on the barrel or receiver of the firearm (for example, J2345). This number will become the serial number and will be entered on the AE Form 190-6D in block 13.

(a) To register more than one weapon without a serial number, letters of the alphabet will be added (for example, J2345A).

(b) Owners are not required to stamp numbers on antique firearms and other firearms specifically authorized by the individual's commander. A description of these firearms will be entered on the AE Form 190-6D in block 13 for identification.

(5) Personally present the approved AE Form 190-6D, a valid U.S. Forces identification card, and evidence of ownership to the FRS for verification and completion of section C.

(a) FRS personnel will not register any prohibited firearm or device (glossary). When doubt exists, the PM or CSF may require an examination of the firearm. Judge advocates may provide advice about whether or not a weapon meets the definition of being a prohibited item. The PM or CSF, however, will make the final decision.

(b) FRS personnel will verify the signature of the approval authority on AE Form 190-6D.

b. Each workday, the FRS will mail original application forms with FRS end-of-day reports and community daily activity reports to the RMV. For each original AE Form 190-6D sent to the RMV, the owner will receive an AE Form 190-6B as proof of registration.

c. Applications for registration renewal must be submitted according to subparagraphs a(1), (2), (4), and (5) above. A current AE Form 190-6B must be presented as evidence of ownership. The AE Form 190-6B for the registration being renewed must be surrendered to FRS personnel. FRS personnel will send the AE Form 190-6B with the original AE Form 190-6D requesting renewal to the RMV.

(1) Renewed registrations are valid for 4 years.

(2) POF owners will renew the registration before the expiration date shown on the AE Form 190-6B.

(3) If a POF owner fails to take appropriate action for renewal, the POF will be--

(a) Considered a prohibited item when the registration expires.

(b) Subject to impoundment (para 24).

d. Interchangeable barrels with their own serial numbers must be registered separately.

e. Multifiring black powder POFs must be registered with the U.S. Forces and the German authorities. Single-shot black powder POFs are not required to be registered in either system.

f. After applicants have registered with the U.S. Forces, they must also register their POFs with the German authorities. The “basis for certification” in compliance with the *WaffG*, paragraph 5, requires competent authorities to certify the reliability of an applicant for a permit (AE Form 190-6D, Part B). Approval authorities (glossary) will confirm the assignment location and reliability of the applicant on AE Form 190-6H(a) or AE Form 190-6H(b). The following are the license-issuing procedures an applicant must complete to apply for a *Waffenbesitzkarte*:

- (1) Provide a completed AE Form 190-6D, Part A, with proof that the form was approved (proceed) from the NICS.
- (2) Provide a completed AE Form 190-6H(a) or AE Form 190-6H(b) signed by the applicant’s approval authority.
- (3) Provide an approved AE Form 190-6K and AE Form 190-6L (for a shooter applicant) or a copy of a *Ausländerjagdschein* (German hunter’s license) (for a hunter applicant).
- (4) Provide a completed and signed AE Form 190-6D, Part B.
- (5) Submit the documents in (1) through (4) above to the OPM, HQ USAREUR/7A (AEAPM-S-VR/Weapons Section), Unit 29230, APO AE 09102-9230, for review. The German Federal and State governments require RMV review of all new and renewal applications.
 - (a) After reviewing the application documents, the RMV will send them to the *Bundesverwaltungsamt (BVA)*. The *BVA* will review and either return them to the RMV (if the application is incomplete or incorrect) or forward them to the German weapons authority for issuance of a permit pursuant to the *WaffG*.
 - (b) The German weapons authority ((a) above) will contact the applicant in writing when the applicant is approved and provide instructions for paying the necessary fees. Payments will be submitted directly to the German weapons authority. The German weapons authority will issue the permit to the applicant and notify the RMV through the *BVA* after receiving the appropriate payment.
 - (c) If an application is denied, the competent German weapons authority will notify the U.S. Forces applicant in writing stating the reason for the denial and advising the applicant of the opportunities available to contest the denial under German law. A copy of this notice will be provided to the *BVA* and, in turn, to the RMV.

g. Figure 1 is a flowchart showing registration requirements for sport shooters and hunters.

h. When a POF owner has a change of address, either military or civilian, the owner must complete AE Form 190-6D with the new address and submit it to RMV.

SECTION IV

STORING, CARRYING, LENDING, AND BORROWING POFs

15. STORING POFs

a. Persons with POFs registered with the host-nation authorities and the U.S. Forces may keep their POFs and ammunition in individual or family-type quarters. POFs will be stored unloaded under double-lock and key (for example, a locked container that is not easily accessible to anyone but the registrant). It is also recommended that POF owners take additional safety precautions for POFs stored in family quarters, such as, use of trigger lock mechanism to ensure the POF cannot be used in case of illegal access or to prevent the accidental discharge by children or other persons not authorized access to the POF. Ammunition will be stored in a locked container separate from POFs. When a POF is moved to a new storage area, the owner must complete AE Form 190-6D for the POF and submit it to the RMV to update the storage location.

SHOOTER	Proponent for hunting and shooting programs in the Army in Europe is EURO	HUNTER
(Shooters and hunters) Request FBI - NICS background check (AE Form 190-6D Part A). Turn in at local USAREUR RMV field office or mail to RMV (OPM, HQ USAREUR/7A (AEAPM-S-VR/Weapons Section), Unit 29230, APO AE 09102-9230)		
Join a U.S. RGC or German shooting club		Complete a U.S. Forces hunting course (60 hours)
Participate for 6 months in shooting program. RGC issues Certificate of Need (AE Form 190-6L)		With NICS “proceed” (above) applicant gains O5 (or higher) approval on Statements of Reliability (BOTH AE Form 215-145A (application for hunting license) AND AE Form 190-6H (application for weapons possession card))
Study (online guide), pass exam at EURO Education/USAFE Outdoor Recreation Center. Applicant receives Certificate of Exam on Technical Knowledge (AE Form 190-6K)		Gain validation from EURO or USAFE Hunting Office on AE Form 215-145A. Take this form to local German <i>Landratsamt</i> . Apply for and receive German hunting license
With NICS “proceed” (above) applicant gains O5 (or higher) approval on STATEMENT OF RELIABILITY (AE Form 190-6H), attaches to Application for Permit (AE Form 190-6D, Part B)		Attach AE Form 190-6H (Statement Of Reliability) to application for permit (AE Form 190-6D, Part B)
Applicant submits APPLICATION and supporting documents to local RMV field office or mails to USAREUR RMV (address above). RMV verifies contents and sends to German Federal Office (BVA) for approval. After review, BVA sends application to local German POF office, where applicant resides. That office reviews, decides, notifies applicant of result. If approved, applicant pays for and picks up permit.		

Figure 1. Firearm Registration Requirements

(1) Black powder and smokeless (nitro) powder (used for reloading) will not be stored in inhabited rooms.

(2) No more than 1 kilogram of black powder and 3 kilograms of smokeless (nitro) gunpowder will be stored in uninhabited rooms.

(3) No more than 3 kilograms of black powder and 5 kilograms of smokeless (nitro) gunpowder will be stored in uninhabited detached buildings.

b. In the Army in Europe, commanders will require servicemembers in the grade of E4 and below and for their family members to store their POFs in unit arms rooms. In USAFE, unit commanders may authorize servicemembers in grades E4 and below who live off base to store their POFs in their quarters. USAFE policy prohibits keeping POFs in on-base, unaccompanied quarters and dormitories.

c. No person may keep a POF in someone else’s quarters except as permitted in paragraph 17.

d. A competent authority may require military and civilian personnel and their family members to store their POFs in the sponsor’s unit arms room if they--

(1) Demonstrate doubtful character or reliability.

(2) Lack good judgment.

(3) Lack the responsibility necessary to use a POF safely.

(4) Permit the unlawful handling of their POF.

e. Commanders will designate areas in unit arms rooms to store POFs and ammunition in locked containers. These areas will be protected using the same security measures, including inventory and accountability, that are required for Government arms and ammunition.

(1) A receipt with information in (2) below will be provided to individuals storing POFs in unit arms rooms. POFs will be withdrawn from the unit arms rooms only with written approval of the unit commander or authorized representative. Owners will be required to surrender the receipt whenever they temporarily withdraw POFs from a unit arms room. When the owner permanently withdraws a POF (for example, when returning to the United States), the receipt will be surrendered and destroyed. USAFE units will use Air Force Form 1314 (Firearms Registration) according to AFI 31-209.

(2) POFs stored in unit arms rooms will be tagged to show the following information:

(a) Name, grade, SSN, and date eligible for return from overseas (DEROS) of the owner.

(b) Make, caliber or gauge, and serial number of the weapon.

(c) Number and expiration date of the registration.

f. POFs and ammunition will not be stored in motor vehicles.

16. CARRYING POFs

a. POFs will not be carried during field training exercises by anyone under any condition.

b. Persons being deployed to a country outside of Germany for any reason will not carry their POFs with them.

c. POFs may be carried only if in possession of a valid *Waffenbesitzkarte* and while--

(1) Hunting when in possession of a valid *Jagdschein*.

(2) Traveling to and from or participating in a lawful sporting or range firing event. The event must be authorized by appropriate German or American authorities.

(3) Traveling to and from a repair shop.

(4) Traveling to and from an FRS when in possession of an AE Form 190-6A issued according to paragraph 18, or an approved AE Form 190-6D.

(5) Traveling to a new duty station in Germany.

(6) Traveling from the place of purchase or the place of authorized sale of the firearm.

d. Except while actually using firearms for hunting and sporting purposes, carrying is permitted only when the owner has a valid *Waffenbesitzkarte* or *Jagdschein* and if the weapon is--

(1) Unloaded and wrapped.

(2) Not concealed on the person in a manner that would prevent exposure to public view.

17. LENDING OR BORROWING POFs

Lending and borrowing POFs is prohibited, except for hunting and sporting events.

a. When lending a POF, the lender will ensure the borrower has--

(1) A signed note from the lender specifying the period of loan.

(2) A *Waffenbesitzkarte* or a *Jagdschein*.

b. Lending POFs to persons not covered by this publication (for example, local nationals) is subject to the following restrictions:

(1) POFs may be lent to nonmembers of the U.S. Forces only for brief periods and only when both the lender and the borrower are participating in the same authorized hunting or sporting event.

(2) The lender will ensure the borrower is capable of handling the POF safely.

(3) Lending and borrowing must not violate any law or regulation of the host country where the transaction takes place.

SECTION V CLEARANCE AND SHIPMENT

18. CANCELLATION OF REGISTRATION

a. Persons who have registered POFs must cancel their registration when they--

(1) Dispose of their POFs.

(2) Leave the command on permanent change of station (PCS) or after completing temporary duty (TDY).

(3) Become ineligible for registration privileges because of separation or retirement in the European area.

b. Clearances will be processed through an FRS where the registrant will surrender the AE Form 190-6B for each POF and provide proof of cancellation of the POF registration with the German authorities. The AE Form 190-6B will be marked "VOID" and show the reason and date of cancellation on the back of the form. FRS personnel will provide proof of cancellation within 3 workdays after cancellation to the OPM, HQ USAREUR/7A (AEAPM-S-VR/Weapons Section), Unit 29230, APO AE 09102-9230. The FRS will process an AE Form 190-6J if requested by the owner.

c. Persons transferring within Germany--

(1) Need not cancel their registration.

(2) Should be reminded that they must apply for an amendment and change of address when they reach their new duty station.

d. FRS personnel processing the cancellation will issue a completed AE Form 190-6A. The owner will attach the completed AE Form 190-6A to the POF for use with the shipment when applicable. The AE Form 190-6A will be valid for 30 days after the date of issue. The FRS will process an AE Form 190-6J if requested by the owner.

e. Persons with POFs in arms-room storage will complete AE Form 190-6F. Registration personnel will send this completed form to the commander of the individual clearing for use in disposing of abandoned POFs according to paragraph 22.

f. When required by an appropriate authority, the burden to provide proof of disposition rests with the person canceling the registration.

g. Persons retiring or terminating their employment with the U.S. Forces and remaining in Germany must return the paperwork for each weapon to their local FRS to cancel their POF registration.

h. If an approval authority has reason to doubt an applicant's reliability or physical fitness, the approval authority should request that the applicant present a medical-fitness certificate. This medical certificate must be prepared by a medical examiner or medical specialist and must state the applicant's mental or physical fitness or both, as applicable.

i. POF owners who no longer want a POF, cannot sell the POF, or cannot ship the POF out of Germany properly may give their POFs to their servicing PM or CSF office or the local German police for destruction. The POF owner will obtain paperwork indicating the destruction and provide proof of the destruction to the RMV.

19. BASIC RULES FOR SHIPMENT

a. The terms "firearms" and "ammunition" used in this section refer only to weapons and ammunition authorized for acquisition and registration by this publication. Shipment of a destructive device or a prohibited item listed in the glossary is not authorized, except in connection with official U.S. Government business.

b. Passengers traveling aboard commercial aircraft (including aircraft chartered or controlled by U.S. Forces) are prohibited from carrying firearms and ammunition while in flight and while getting on or off the aircraft. Only a competent authority may authorize an exception to this policy. Exceptions must be specific and in writing. AR 190-14 and other applicable directives of the individual services specify competent authorities.

c. Passengers traveling to the CTUS may transport or store POFs in baggage when the passenger has complied with requirements of appendix B.

SECTION VI MISCELLANEOUS PROVISIONS AND REQUIREMENTS

20. THE GUN CONTROL ACT OF 1968

a. The Gun Control Act of 1968 (Public Law 90-618), 18 USC 921 through 928, imposes strict requirements on bringing POFs (excluding air pistols and air rifles) and ammunition into the United States. These restrictions apply to military and civilian personnel serving with the Armed Forces overseas.

b. Military and civilian personnel who plan to bring POFs and ammunition into the United States must understand the following:

(1) The Gun Control Act of 1968 is a public law passed by Congress and is not an armed services directive.

(2) The armed services have no control over the BATF. The BATF enforces the Gun Control Act of 1968. The owner must resolve unfavorable rulings by the BATF (for example, the firearm is not suitable for or readily adaptable to sporting purposes and cannot be brought into the United States) with the BATF.

(3) Persons who have acquired or intend to acquire firearms in Europe risk inconvenience or monetary loss if they possess an item for which the BATF refuses to provide an importation permit.

c. Appendix B provides basic guidelines for importing, reimporting, and shipping POFs into the CTUS. Persons who need more information on shipping POFs should contact USEUCOM CEA (ECJ1-CEA-O), Unit 29931, Bin 153, APO AE 09086 (DSN 381-7466/7255).

21. REPORTS OF LOST, STOLEN, AND RECOVERED FIREARMS

a. When a POF is lost or stolen, the owner will report to the nearest PM or CSF not later than 1 duty day after the discovery of loss or theft.

b. Persons who find or otherwise come into possession of a POF under circumstances that indicate the item may have been lost or stolen will report to the nearest PM or CSF.

22. POF DISPOSITION PROCEDURES

a. Registrants will properly dispose of POFs according to section V of this publication when they leave the European theater. This may be done by transferring ownership (para 10), shipping the POF (para 19), donating the POF to an RGC, or giving the POF to the local PM or CSF office or German police authorities for destruction.

b. POFs will not be abandoned. Abandoning POFs is punishable under the Uniform Code of Military Justice for military members and is a violation of this publication and USAREUR Regulation 600-1. Abandoning POFs also can be a basis for adverse administrative action against military and civilian personnel.

c. If a registrant fails to properly dispose of a POF, the registrant's unit commander will--

(1) Contact the OPM, HQ USAREUR/7A (AEAPM-S-VR/Weapons Section), Unit 29230, APO AE 09102-9230 (DSN 386-7262), to determine the legal owner.

(2) Send a memorandum by registered mail to the owner describing the POF, indicating where the POF is located, and advising the owner that--

(a) He or she has 30 days from the date of the memorandum to indicate how he or she wants to dispose of the POF.

(b) Handguns may not be sent through the postal system. (Appendix B explains the shipment of long guns (rifles and shotguns).)

(c) Action will be taken if he or she does not reply within the given time.

(3) Keep a copy of the memorandum ((2) above) and document actions taken. This file will be kept for at least 2 years after final disposition of the POF.

d. If ownership of a firearm cannot be determined, the firearm will be disposed of according to subparagraphs e and f below and paragraph 24.

e. In U.S. Army organizations in Germany, if the owner cannot be contacted or does not reply to the memorandum in subparagraph c(2) above, the commander will contact the local RGC to ask if the club wants the firearm for resale or club use.

(1) If the RGC agrees to accept the firearm, the commander will--

(a) Complete DD Form 1348-1A (Issue Release/Receipt Document) to transfer the firearm to the RGC.

(b) Send one copy of the DD Form 1348-1A with firearm owner's name, SSN, and organization to the OPM, HQ USAREUR/7A (AEAPM-S-VR/Weapons Section), Unit 29230, APO AE 09102-9230. The RGC receiving the firearm will immediately enter the firearm information on AE Form 190-6E and send one copy of the DD Form 1348-1A clearly marked "Club Confirmation" to the RMV.

(2) The RGC may sell the firearm according to paragraph 10.

(3) If the RGC supervisor determines the club does not want the firearm, the commander will contact the local military police station, security force station, or German police for help in disposing of the firearm.

f. In USAFE, abandoned weapons will be disposed of according to AFI 31-206. On disposal and for deregistration purposes, personnel will inform the OPM, HQ USAREUR/7A (AEAPM-S-VR/Weapons Section), Unit 29320, APO AE 09102-9230, of the final disposition of weapons.

23. CONTROLS

a. To help prevent bringing unauthorized weapons onto installations or into facilities under U.S. Forces control, a sign in English and German will be posted at entrances to U.S. military installations and facilities (including parking lots outside caserns). The signs will state that persons are subject to search when entering, while inside, and when leaving the installation or facility.

b. For USAFE elements, the provisions of USAREUR Regulation 550-175/USNAVEUR Instruction 5840.1D/USAFE Regulation 30-15 and USAFE Supplement 1 to AFI 31-209 will meet the requirements of subparagraph a above.

c. The provisions of USAREUR Regulation 550-175/USNAVEUR Instruction 5840.1D/USAFE Regulation 30-15 will apply to searches conducted according to this paragraph.

24. IMPOUNDING AND DISPOSING OF PROHIBITED ITEMS

a. Items and weapons prohibited by the U.S. National Firearms Act (glossary) are prohibited property (AR 190-22 and AFI 31-201) and may be impounded.

b. If the owner of an impounded item is known, the item may be returned to the owner after the owner has met applicable regulatory requirements. If the item is one of the prohibited items identified in the glossary, the owner will be informed that--

(1) The item falls within the limits of the U.S. National Firearms Act and may not be kept, even as a war trophy.

(2) He or she voluntarily consents to destruction of the item. Figure 2 provides a format for obtaining consent to destroy prohibited property.

c. If the ownership of an impounded firearm cannot be determined or if the owner consents to the firearm's destruction according to subparagraph b(2) above, the unit commander, with the agreement of the local PM or CSF, will dispose of the firearm according to paragraph 22.

d. If the ownership of impounded items other than firearms cannot be determined, the items will be destroyed by the reporting unit.

25. DISPOSING OF POFs UNDER NONCOMBATANT EVACUATION ORDERS

POFs will be treated like other personal property and disposed of according to noncombatant evacuation order regulations (USAREUR Reg 525-27/USAFE Inst 10-216).

SECTION VII

ADMINISTRATIVE SANCTIONS

26. PUNITIVE ACTION

In addition to administrative actions for violations of this publication, punitive action may be taken under the provisions of USAREUR Regulation 600-1.

27. WITHDRAWAL OF REGISTRATION PRIVILEGES

a. Unit commanders will submit in writing a request to withdraw registration privileges to the first officer (grade O4 or higher) in the chain of command if it is established that the registrant--

(1) Is of doubtful character or reliability.

(2) Cannot reasonably be expected to use firearms safely.

(3) Is likely to endanger him- or herself or others through continued possession of a firearm.

(4) Is convicted in a court of a crime punishable by confinement for a term exceeding 1 year.

1. I, (name), have been advised by (authority) that--

a. Prohibited property includes items and weapons prescribed by the U.S. National Firearms Act and AE Regulation 190-6/USNAVEUR Instruction 5300.15L/USAFE Instruction 31-205.

b. Possessing prohibited property in the jurisdictions of the Army in Europe, USNAVEUR, and USAFE, and in many civil jurisdictions of the United States may violate the provisions of the U.S. National Firearms Act, sections 5861 et seq, title 26, United States Code.

c. The transportation of switchblade knives in interstate commerce and their unauthorized possession on U.S. property is prohibited. Violation of these laws is punishable by a fine of up to \$2,000, imprisonment for up to 5 years, or both.

d. I am entitled to the eventual return of the weapons described below, but that each time I have them or similar weapons in my possession, I will be committing a criminal offense.

e. A claim against the Government for this property is not payable (Army: AR 27-20; Navy: Judge Advocate General Manual, chap XXI; Air Force: AFI 51-501).

2. After considering the above advice, I voluntarily consent to the destruction of the weapon or weapons taken from me on (date) at (location) described as (description).

(signature)

Witnesses:

(name)

(name)

***Figure 2. Format for Obtaining Written Consent for the Destruction of Prohibited Property**

***This format will be used only as a guide and will not be printed, reproduced, or stocked.**

(5) Has violated any of the prohibitive provisions of this publication.

b. When the registrant is informed in writing of the adverse determination, the registrant may appeal the decision to the first officer (grade O6 or higher) in the chain of command over the officer or supervisor who made the adverse determination (a above). The decision of the appellate authority will be final.

c. Pending the outcome of the appeal, the officer who makes the determination will require the registrant to do one of the following:

(1) Store the firearm in the unit arms room for temporary safekeeping. Even if the registration is a class A permit, the firearm will be stored in the unit arms room.

(2) Surrender the firearm for impoundment if this action is consistent with circumstances under which the withdrawal action is based.

d. If the registrant does not appeal the adverse action promptly or if an appeal is unsuccessful, the officer who made the determination may require the registrant to cancel the registration. The registrant also must dispose of the firearm according to procedures in paragraph 22 or make other appropriate disposition authorized by this publication (for example, sale of the item).

28. PROHIBITION BY GERMAN CIVIL AUTHORITIES

a. Requests from German authorities that persons be denied the privilege of acquiring or registering POFs, or that a registration be canceled, will be referred promptly to the appropriate judge advocate for advice as to what actions should be taken.

b. When German authorities discover facts that justify denial of a permit pursuant to the *WaffG* after they have validated it, the German authorities must void and withdraw the permit. When the holder of a permit pursuant to the *WaffG* is later found to have abused alcohol or violated any law (app D), the investigation of the offense will also include a review of the approving commander's investigation into the facts certified on the AE Form 190-6H(a) or AE Form 190-6H(b). Because of the need for thorough preapproval requirement checks and the long-term consequences of the application approval, only commanders with the appropriate authority and understanding of the seriousness involved in granting approval will be given this responsibility.

29. EXCEPTIONS TO POLICY

The Provost Marshal, USAREUR, may grant exceptions to the policy in this publication unless specifically prevented from doing so by applicable international agreements or other directives. Requests for exceptions to policy will be sent through command channels to the OPM, HQ USAREUR/7A (AEAPM-S-VR/Weapons Section), Unit 29230, APO AE 09102-9230.

APPENDIX A REFERENCES

SECTION I AGREEMENTS, LAWS, AND PUBLICATIONS

A-1. INTERNATIONAL AGREEMENTS AND GERMAN LAWS

NATO Status of Forces Agreement and Supplementary Agreement

U.S.-German Agreement on Privately Owned Firearms, 1984

Waffengesetz (German Weapons Law)

A-2. U.S. ACTS

U.S. National Firearms Act, section 5861, title 26, United States Code

Omnibus Crime Control and Safe Streets Act of 1968

The Gun Control Act of 1968 (Public Law 90-618), sections 921 through 928, title 18, United States Code

Arms Export Control Act of 1976, section 2778, title 22, United States Code

Crimes and Criminal Procedures, section 925(d)(3), title 18, chapter 44, United States Code

A-3. CODE OF FEDERAL REGULATIONS

25 CFR, Part 25, National Instant Criminal Background Check System Regulation

28 CFR 25.6(j)(1), Judicial Administration

A-4. U.S. BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS (BATF) PUBLICATIONS

BATF Publication 5300.5, State Laws and Published Ordinances, Firearms

BATF Revenue Ruling 74-13, Importing Handguns Into a State by Armed Forces Member

A-5. MULTISERVICE PUBLICATIONS

Manual for Courts-Martial, United States, 1984

DOD 4500.9-R, Defense Transportation Regulation

USEUCOM Directive 45-7, Country Regulations

AR 608-4/Office of the Chief of Naval Operations Instruction 3460.7A/Air Force Joint Instruction 31-217, Control and Registration of War Trophies and War Trophy Firearms

USAREUR Regulation 190-1/USNAVEUR Instruction 11240.6M/USAFE Instruction 31-202, Registering and Operating Privately Owned Motor Vehicles in Germany

USAREUR Regulation 215-145/USAFE Instruction 34-104, Application for German Hunting License

USAREUR Regulation 525-27/USAFE Instruction 10-216, Noncombatant Evacuation Operations (NEO)

USAREUR Regulation 550-56/USNAVEUR Instruction 5820.13E/USAFE Instruction 51-705, Exercise of Jurisdiction by German Courts and Authorities Over U.S. Personnel

USAREUR Regulation 550-175/USNAVEUR Instruction 5840.1D/USAFE Regulation 30-15, Border Crossing and Customs Controls in Germany

USAREUR Pamphlet 550-19/USAFE Pamphlet 30-16, Compilation of Selected German Laws

A-6. ARMY PUBLICATIONS

AR 27-20, Claims

AR 190-13, The Army Physical Security Program

AR 190-14, Carrying of Firearms and Use of Force for Law Enforcement and Security Duties

AR 190-22 and USAREUR Supplement 1, Searches, Seizures and Disposition of Property

AR 190-27, Army Participation in the National Crime Information Center

A-7. NAVY PUBLICATION

U.S. Navy Judge Advocate General Manual

A-8. AIR FORCE PUBLICATIONS

AFI 31-201, Security Police Standards and Procedures

AFI 31-206, Security Police Investigations

AFI 31-209 and USAFE Supplement 1, The Air Force Resource Protection Program

AFI 51-501, Tort Claims

A-9. USAREUR PUBLICATIONS

USAREUR Regulation 600-1, Regulated Activities of Members of the U.S. Forces, Civilian Component, and Family Members

USAREUR Regulation 600-700, Identification Cards and Individual Logistic Support

SECTION II FORMS

Customs Form 4457 (Certificate of Registration for Personal Effects Taken Abroad)

ATF Form 6-Part I (Application and Permit for Importation of Firearms, Ammunition and Implements of War)

ATF Form 6-Part II (Application and Permit for Importation of Firearms, Ammunition and Implements of War)

ATF Form 6A (Release and Receipt of Imported Firearms, Ammunition and Implements of War)

DD Form 2 (RET) (United States Uniformed Services Identification Card (Retired))

DD Form 603 (Registration of War Trophy Firearms)

DD Form 1252 (U.S. Customs Declaration for Personal Property Shipment - Part I)

DD Form 1252-1 (U.S. Customs Declaration for Personal Property Shipment - Part II)

DD Form 1299 (Application for Shipment and/or Storage of Personal Property)

DD Form 1348-1A (Issue Release/Receipt Document)

Air Force Form 1314 (Firearms Registration)

AE Form 55-355M (Import/Export Customs Declaration (Numbered))

AE Form 190-6A (Firearms Retention Authorization/*Waffenbesitz-Genehmigung*)

AE Form 190-6B (Privately Owned Firearms Registration)

AE Form 190-6D (USAREUR Application for Registration of a Firearm)

AE Form 190-6D, Part A (Application for/Authorization to Conduct Background Investigation)

AE Form 190-6D, Part B (Application for Issuance of a Permit Pursuant to the Weapons Law (*WaffG*)/*Antrag auf Erteilung einer Erlaubnis nach dem Waffengesetz (WaffG)*)

AE Form 190-6E (Firearms Register)

AE Form 190-6F (Certification of Release/Donation of POF)

AE Form 190-6G (Weapons Bill of Sale/*Schußwaffen Kaufvertrag*)

AE Form 190-6H(a) (Commander's Statement of Reliability/*Unbedenklichkeitsbescheinigung*)

AE Form 190-6H(b) (Commander's Statement of Reliability/*Unbedenklichkeitsbescheinigung*) (for family members)

AE Form 190-6J (Request for Privately Owned Firearm Cancellation)

AE Form 190-6K (Certificate of Examination Regarding Technical Knowledge/*Prüfungszeugnis nach Lehrgang über Sachkunde*)

AE Form 190-6L (Certificate of Need/*Bedürfnisnachweis*)

AE Form 215-145A (*Antrag auf Erteilung/Verlängerung eines Ausländer Jagdscheins für in Deutschland stationierte Mitglieder der US - Streitkräfte*/Application for Issuance/Renewal of a German Foreigners Hunting License for U.S. Members of the Forces Stationed in Germany)

AE Form 2074 (Permit to Transfer)

AE Form 2075 (Application for Import/Export Certificate/Purchase Permit)

APPENDIX B

IMPORTING FIREARMS INTO THE CUSTOMS TERRITORY, UNITED STATES, BY GOVERNMENT PERSONNEL

B-1. GENERAL

a. This appendix provides information on importing privately owned firearms (POFs) into the customs territory, United States (CTUS), by Government personnel (military and civilian) returning from extended overseas assignments. Detailed information on importing firearms cannot be provided here because of the subject's complexity and volume.

b. Questions on importing firearms should be directed to the USEUCOM Customs Executive Agency (ECJ1-CEA-O), Unit 29931, Bin 153, APO AE 09086 (DSN 381-7466).

c. Paragraph B-3 explains special terms used in this appendix.

B-2. THE GUN CONTROL ACT OF 1968

a. The Gun Control Act of 1968 (Public Law 90-618), sections 921 through 928, title 18, United States Code, prescribes controls on transporting, shipping, receiving, and importing commercially owned firearms, POFs, and ammunition. The controls of the Gun Control Act of 1968 also cover firearms and ammunition for use by the U.S. Government and any department, agency, state, or political subdivision of the Government.

b. Importation provisions of the act apply to--

(1) The CTUS.

(2) American Samoa.

(3) Guam.

(4) The Virgin Islands of the United States.

(5) Baker, Canton, Enderbury, Howland, Jarvis, Johnston, Midway, Navassa, Palmyra, Sand, Swain's, and Wake islands.

(6) Kingman Reef.

c. The Director, U.S. Bureau of Alcohol, Tobacco, and Firearms (BATF), Department of Treasury, is responsible for the administration and enforcement of this act. The United States Customs Service (USCS) is responsible for enforcing the import aspects primarily as they relate to, but are not limited to, the presentation of proper documentation to clear a border.

d. Firearms and ammunition normally may be imported only by persons possessing a Federal import license and appropriate import permits. This appendix explains exceptions to this requirement that apply to DOD personnel.

B-3. DEFINITIONS

a. Ammunition. Cartridge cases, primers, bullets, or propellant powder designed for use in any firearm other than an antique firearm. Ammunition does not include any shotgun shot or pellet designed for use other than as a single, complete projectile load for one shotgun hull or casing, or any unloaded, nonmetallic shotgun hull or casing not having a primer.

NOTE: Ammunition must be shipped through a commercial carrier. Unprimed cartridges (that is, brass casings) are ammunition for BATF purposes.

b. Antique Firearm. Any firearm manufactured during or before 1898. A certificate to this effect or other proof of the weapon's classification as an antique should be obtained by the member at the time of purchase.

c. Black Powder Firearm. Any firearm using antique ignition systems such as matchlocks, flintlocks, or percussion caps (including muzzleloaders, breechloaders, and revolvers). Black powder firearms do not require BATF approval.

NOTE: Commercially manufactured black powder may not be shipped as the personal property of DOD military or civilian employees.

d. Firearm.

(1) Any weapon (including starter guns) that will, is designed to, or may readily be converted to expel a projectile by action of an explosion.

(2) The frame or receiver of any weapon in (1) above.

(3) Any firearm muffler or firearm silencer.

(4) Any destructive device (for example, bomb, grenade, rocket).

e. Firearm Previously Taken Out of the CTUS. Any firearm that was taken out of the CTUS by the member who now wishes to reimport the weapon into the CTUS. Proof of prior ownership must be shown by presenting any of the following documents:

(1) Customs Form 4457 (Certificate of Registration for Personal Effects Taken Abroad). (This is the preferred form of proof.)

(2) Bill of sale.

(3) DD Form 1299 (Application for Shipment and/or Storage of Personal Property).

(4) State or local weapon registration.

(5) Other evidence of prior ownership in the United States.

f. Surplus Military Firearm. Any firearm, including the frame or receiver of any firearm, that was the property of the regular or irregular military forces of any country (including the United States) at any time. Alteration of such a firearm does not change its status as a surplus military firearm.

NOTE: Surplus military firearms are prohibited entry into the CTUS for personal use and sporting purposes.

g. War-Trophy Firearm. A firearm governed by AR 608-4/Office of the Chief of Naval Operations Instruction 3460-7A/Air Force Joint Instruction 31-217.

(1) Only an original DD Form 603 (Registration of War Trophy Firearms) is proof that a weapon is a war trophy. This weapon may be brought into the CTUS only by the holder of the original DD Form 603 issued on or before 13 March 1973.

(2) A duplicate DD Form 603 may be obtained by writing to the Director, U.S. Bureau of Alcohol, Tobacco, and Firearms, 65 Massachusetts Avenue NW, Room 5300, Washington, DC 20226-0001.

B-4. IMPORTATION REQUIREMENTS FOR MILITARY PERSONNEL

a. Members of the U.S. Armed Forces may import a reasonable amount of firearms into the CTUS at any time subject to the following:

(1) The servicemember is on active duty outside the CTUS or was on active duty outside the CTUS within the 60 days immediately before importation.

(2) Firearms are--

(a) Suitable for sporting purposes or are properly registered war-trophy firearms (para B-3g) and are not prohibited firearms.

(b) Intended solely for the personal use of the servicemember.

(3) Importation is--

(a) To the place of residence of the servicemember or to the member's permanent duty station.

(b) According to applicable Federal, state, and territorial laws of the place of residence.

(c) According to applicable state laws governing the location of the U.S. port of entry where the servicemember will arrive on return from the overseas location, if the member elects to personally carry the firearm.

b. BATF-permit requirements are as follows:

(1) An application for a permit to import firearms will be made on ATF Form 6-Part II (Application and Permit for Importation of Firearms, Ammunition and Implements of War).

(2) BATF-approved permits will be required to import POFs, regardless of date of purchase, except for--

(a) Firearms previously taken out of the CTUS by the servicemember returning the firearm.

(b) Antique and black powder firearms.

(c) Firearms classified as war trophies, when accompanied by a properly completed original DD Form 603 indicating that the firearm was registered as a war trophy by the servicemember on or before 13 March 1973.

(3) General and flag officers must show only proper personal identification to import a firearm.

(4) If firearms are presented by servicemembers to overseas transportation officers for shipment without proper documentation for customs clearance (import permit or ATF Form 6-Part II), the transportation officer will package the firearms separately and place them in a number-1 container, and the DD Form 1252 (U.S. Customs Declaration for Personal Property Shipment - Part I) will be "redlined" (para B-5c(3)).

B-5. IMPORTATION REQUIREMENTS FOR CIVILIAN PERSONNEL

a. Civilian personnel may import a reasonable amount of firearms into the CTUS subject to the following:

(1) The civilian is a U.S. citizen returning from a residence outside the CTUS.

(2) The firearms are suitable for sporting purposes or are properly registered war-trophy firearms (para B-3g) and are not prohibited firearms.

(3) The firearms are intended solely for personal use of the civilian.

(4) Importation is--

(a) To the civilian's place of residence.

(b) According to applicable Federal, state, and territorial laws of the place of residence.

(c) According to applicable state laws governing the location of the U.S. port of entry where the individual will arrive at on return from the overseas location, if the civilian elects to personally carry the firearm.

(5) The firearms must accompany the individual on return to the CTUS with an approved ATF Form 6-Part I (Application and Permit for Importation of Firearms, Ammunition and Implements of War).

(6) If firearms do not accompany the individual either personally carried or in baggage (accompanied or unaccompanied), the individual must engage the services of a Federally licensed firearms dealer in the state of residence or projected residence.

b. BATF permit requirements are as follows:

(1) The DOD civilian will file an ATF Form 6-Part I with the Director, U.S. Bureau of Alcohol, Tobacco, and Firearms, 65 Massachusetts Avenue NW, Room 5300, Washington, DC 20226-0001.

(2) BATF-approved permits will be required for importing POFs, regardless of the date of purchase, except for--

(a) Firearms previously taken out of the CTUS by the individual returning the firearm.

(b) Antique and black powder firearms.

(c) Firearms classified as war trophies, when accompanied by a properly completed original DD Form 603 indicating the firearm was registered as a war trophy by the individual on or before 13 March 1973.

(3) Civilians will give a completed ATF Form 6A to the U.S. Customs officer at the U.S. point of entry when the firearms are released.

c. Civilians who have applied for an ATF Form 6-Part I and have not received it before departure may--

(1) Personally carry the firearm as accompanied baggage. (Accompanied baggage will be checked at the air terminal and carried in the hold of the aircraft.) The USCS will hold the firearm at the point of entry until the individual presents an approved ATF Form 6-Part I and an ATF Form 6A.

(2) Leave the firearm overseas with a power of attorney holder, who may send it through a licensed firearms dealer when ATF approval is received.

(3) Place firearms in an HHG shipment (must be packed separately from other personal property in the shipment and placed in number-1 container). The USCS will hold the firearm at the point of entry until the individual presents an approved ATF Form 6-Part I and an ATF Form 6A.

B-6. MAIL

a. When applicable local military regulation or host country consideration does not prohibit sending firearms by mail, use of the military postal system is authorized for the following:

(1) Military Personnel. Rifles and shotguns are mailable under either of the following conditions:

(a) The servicemember previously brought the firearms out of the CTUS.

(b) The servicemember has an approved ATF Form 6-Part II and ATF Form 6A.

(2) Civilian Personnel. Rifles and shotguns are mailable under either of the following conditions:

(a) The civilian previously brought the firearms out of the CTUS.

(b) The civilian has an approved ATF Form 6-Part I and ATF Form 6A. The firearm must be addressed to the civilian through a licensed firearms dealer.

b. Nonmailable firearms include the following:

(1) Concealable firearms (for example, handguns).

(2) War trophies.

B-7. GUIDE TO FORMS

a. ATF Form 6A. Military and civilian applicants must complete two copies of ATF Form 6A. The copies should not be sent to the BATF; they should be presented to the USCS agent at the point of entry. ATF Form 6A is available at <http://www.atf.treas.gov/forms/pdfs/f53303c.pdf>. Applicants will--

- (1) Complete only blocks 1 through 9 for firearms that require a BATF permit.
- (2) Use ATF Form 6A for up to three firearms.
- (3) Make two copies of the completed ATF Form 6A.
- (4) Ensure ATF Form 6A accompanies the firearms to the point of entry.

b. ATF Form 6-Part I. When a DOD civilian must use the services of a licensed firearms dealer, ATF Form 6-Part I (available at <http://www.atf.treas.gov/forms/pdfs/f53303a.pdf>) will be prepared and submitted as follows:

- (1) Blocks 1 through 3 are self-explanatory.
- (2) Block 4 may be left blank if the address is the same as that in block 5.
- (3) Block 5 will be the applicant's current address.
- (4) Block 6 will be the address where the POF was purchased.
- (5) Block 7 will identify the shipping transportation office (including APO).
- (6) Block 8 may be used for up to three firearms.
- (7) Blocks 9 through 14 are self-explanatory.

(8) Three copies of ATF Form 6-Part I will be completed and sent to the Director, U.S. Bureau of Alcohol, Tobacco, and Firearms, Firearms and Explosives Imports Branch, 65 Massachusetts Avenue NW, Room 5300, Washington, DC 20226-0001.

- (9) The application should be sent to the BATF at least 60 days before the intended importation.

c. ATF Form 6-Part II. Servicemembers must complete three copies of ATF Form 6-Part II and submit them to the BATF for approval. ATF Form 6-Part II is available at <http://www.atf.treas.gov/forms/pdfs/f53303b.pdf>. Servicemembers will complete and submit ATF Form 6-Part II as follows:

- (1) If the address is the same as that in block 2, block 1 may be left blank.
- (2) Block 2 will be the applicant's current address.
- (3) Block 3 will be the address where the POF was purchased.
- (4) Block 4 will identify the shipping transportation office (including APO number).
- (5) Block 5 will specify present or last foreign duty station.
- (6) Block 6 will specify the country of exportation (for example, Germany).
- (7) Block 7 may be used for up to three firearms.
- (8) Blocks 8 through 17 are self-explanatory.

(9) Servicemembers will make no marks in blocks 18 through 20.

(10) Three copies of the form will be completed and sent to the Director, U.S. Bureau of Alcohol, Tobacco, and Firearms, Firearms and Explosives Imports Branch, 65 Massachusetts Avenue NW, Room 5300, Washington, DC 20226-0001.

(11) The form should be submitted at least 60 days before the intended importation.

d. AE Form 190-6A. AE Form 190-6A (Firearms Retention Authorization/*Waffenbesitz-Genehmigung*) must be attached to the firearm (only Germany) when the firearm is being taken out of Germany permanently by military or civilian personnel. AE Form 190-6A may be obtained from local military police or security force stations before PCS or expiration term of service.

e. DD Forms 1252, 1252-1, and 1299. DD Forms 1252, 1252-1, and 1299 may be obtained from the local transportation officer and must be completed by military and civilian applicants when shipping firearms with unaccompanied baggage, HHG, or as a separate shipment against a weight allowance.

B-8. REFERENCE GUIDE TO FORMS REQUIRED IN SPECIAL SITUATIONS

Table B-1--

- a. Lists paragraphs that explain which forms are needed in different circumstances.
- b. Applies only to military personnel. Paragraph B-5 provides policy for DOD civilian personnel.

Table B-1			
References to Forms Needed for Special Circumstances			
Weapon	How Many	How Shipped	Applicable Paragraphs
Long guns (any combination of rifles and shotguns)	Unlimited number	Personally carried	B-7a, b, c, and d
Handgun purchased overseas (note)			
NOTE: Firearms for which import permits are required may be carried to the United States before receipt of a permit. These firearms will be surrendered to and held by U.S. Customs at the U.S. point of entry pending presentation by the member of an import permit. This procedure should be followed only when an application for a permit has been submitted to the BATF and the member has not received the approved permit before departure from the overseas area.			

B-9. IMPORTATION REQUIREMENTS

Table B-2 shows eligibility requirements to import firearms.

B-10. SPECIAL PROVISIONS FOR IMPORTING FIREARMS TO THE CTUS WHEN ON LEAVE OR TDY

a. Firearms brought from the CTUS may be returned at any time by the same owner. Proof of ownership (for example, bill of sale, prior registration of Customs Form 4457) must accompany the firearms. This provision includes firearms ordered directly by military members.

b. Firearms acquired by a servicemember overseas must have an approved ATF Form 6-Part II for each weapon and two copies of ATF Form 6A when the servicemember claims status as a resident returning from leave or temporary duty (TDY). Civilians must have an approved ATF Form 6-Part I, and the firearm will be shipped or mailed to a licensed firearms dealer. The firearm also may be personally carried and held in customs bond until cleared by a licensed firearms dealer or dealer's agent.

c. U.S. Government personnel (military or civilian) on extended overseas duty who go on leave or TDY before their overseas assignment ends and who claim nonresident status may import a firearm according to the following:

Table B-2
Eligibility Requirements to Import Firearms

R U L E	A	B	C	D							
	If the owner is	and is traveling under orders for (or to)	then the owner is authorized to import	when supported by the following documents:							
				DD Form 1252-1	PCS or TDY order	DD Form 1299	Certificate of register or proof of prior possession	ATF Form 6 Part II	ATF Form 6A	Bill of sale/ invoice	DD Form 603
1	a general officer or flag officer (note 1)	TDY or PCS to the U.S., or enroute to another overseas duty station	One firearm issued under military service regulation	Only personal identification.							
2	a servicemember on active duty overseas at a permanent duty station in a 60-day period immediately preceding the importation	PCS to the United States	Firearms previously taken overseas by the member	X	X	X	X				
3			War-trophy firearms (note 2)	X	X	X					X
4			Combined total of three rifles or shotguns	X	X	X		X	X		
5			Firearms acquired overseas (note 3)	X	X	X		X	X		
6			Firearms acquired by the member directly from a licensed dealer in the United States, or specifically for the member, through an authorized RGC (note 4)	X	X	X					X
7		TDY to the U.S.	Firearms specified in rules 2, 3, 5, or 6 above	As in rules 2, 3, 5, and 6 above.							
		PCS from overseas to a restricted overseas area where firearms are prohibited and personal property containing firearms is returned to the U.S.									
8	a military member on TDY overseas or on such duty in the 60-day period immediately preceding the importation	TDY to the United States	Firearms specified in rules 2, 3, 5, or 6 above	As in rules 2, 3, 5, and 6 above.							
9	a civilian employee of DOD	TDY or PCS to the United States	Firearms as specified in rules 2, 3, 5, or 6 above	As in rule 2 above.							
10			Other firearms	See note 5.							

NOTES: 1. A general or flag officer traveling on a commercial aircraft may be required to turn the firearm over to the crew if not required for official use during flight.
2. Firearm must qualify under AR 608-4/OPNAVINST 3460.7A/AFJI 31-217 and be supported with DD Form 603 issued to the member as the original owner and packed in accompanied baggage. War-trophy handguns may require a state permit, license, or other documentation.
3. See DOD 4500.9-R for disposition of firearm if a permit has not been obtained.
4. This authority does not apply when the possession of a firearm is prohibited by military regulation.
5. DOD civilians importing firearms in conjunction with a PCS move to the United States must possess an ATP Form 6-Part I that has been approved by the BATF. This is applicable only if the firearms are to be personally carried or shipped in the individual's HHG or unaccompanied baggage. If other forms of importation are used, or if the firearms are not being imported in conjunction with a PCS move, the individual must make arrangements with a Federally licensed firearms dealer who will obtain the approved permits. The requirements for ATF Form 6A and AE Form 190-6A apply in every case as with military members.

(1) Firearms intended for legitimate hunting or lawful sporting purposes may be brought into the United States without BATF approval if the firearms are taken out of the United States on departure. These firearms may be bonded by USCS to provide documentation of re-export.

(2) Nonresident status--

(a) Affects every other exemption and should be used with caution.

(b) Also may be claimed by family members residing with U.S. Government personnel when returning for a short visit.

NOTE: Firearms being returned to the continental United States from Germany must be accompanied by AE Form 190-6A. If the firearm will be returned to Germany after the leave or TDY, an approved AE Form 190-6D is sufficient documentation for reimportation.

B-11. SPECIAL PROVISIONS FOR THE IMPORTATION OF HANDGUNS INTO CERTAIN STATES

a. BATF Revenue Ruling 74-13 requires individuals to comply with the laws of their state or territory of residence. If the state or territory of residence requires a permit or other authorization before having possession of a handgun, the owner must submit proof of compliance with the state or territory requirement to the BATF with an applicable ATF Form 6.

b. Persons who want to import a handgun into the states or territories listed in table B-3, either as a resident or on PCS assignment, must submit applicable state certification to the BATF with the applicable ATF Form 6.

Table B-3			
States and Territories Requiring Authorization Before Possessing a Handgun			
State and Territory	Write to:	State and Territory	Write to:
District of Columbia	Metropolitan Police Firearms Registration Section 300 Indiana Avenue, NWFL4 Washington, DC 20001-2175	Massachusetts	Firearms Record Bureau 1010 Commonwealth Avenue Boston, MA 02215-1201
Guam	Honolulu Police Department Firearms Section 1455 South Beretania Street Honolulu, HI 96814-1820	New York	New York State Police 1220 Washington Avenue 22-120 Albany, NY 12226-1800
Hawaii	Honolulu Police Department Firearms Section 1455 South Beretania Street Honolulu, HI 96814-1820	Puerto Rico	Superintendents CPO Box 70166 San Juan, PR 00936-8166
Illinois	Firearms Owners Identification 1035 Outer Park Drive West Springfield, IL 62704-4462	Virgin Islands	Department of Public Safety Investigations Bureau Charlotte Amalie St. Thomas, VI 00801

B-12. SPECIAL NOTES

a. DOD 4500.9-R is a comprehensive guide to firearms.

b. Copies of BATF Publication 5300.5 may be obtained from the United States Government Printing Office, Washington, DC 20402 (stock number: 048-012-00018-3) or on-line at http://www.atf.treas.gov/pub/fire-explo_pub/statelaws.htm.

c. Forms referred to in this appendix may be obtained from local military customs field offices. Field office personnel will help individuals complete customs-related forms.

APPENDIX C

RELOADING AMMUNITION STATIONS

C-1. POLICY

Reloading ammunition stations may be established only at rod and gun clubs (RGCs). Details of implementation must be prescribed in a comprehensive standing operating procedure (SOP). The SOP will include at least the following:

- a. The reloading must take place in a location with access controlled by a qualified U.S. supervisor who has a powder permit. The qualified U.S. supervisor must be--
 - (1) Physically present at all times when reloading is taking place.
 - (2) Sure that each potential user of the equipment is capable of reloading safely.
- b. The reloading service must be limited to U.S. Forces personnel who are members in good standing of the RGC or, if reciprocity is intended, another club recognized by the RGC Association. Members who want to use the service must produce a valid *Waffenbesitzkarte* (weapons possession card) and AE Form 190-6B (Privately Owned Firearms Registration) only to reload ammunition intended to be fired from the weapon shown on the certificate.
- c. The reloaded ammunition produced--
 - (1) May only be taken from the premises by the member producing it (no sale or other transfer or reloaded ammunition on the premises).
 - (2) Must be in ready-to-fire condition (no loose powder, primers, or cartridges may leave the reloading area).
- d. Detailed procedures to be followed must be prominently displayed. Members using the service must sign consent forms agreeing to comply with rules before being allowed to reload.

C-2. REQUIREMENTS

RGCs will send a copy of their SOP to the Office of the Provost Marshal, HQ USAREUR/7A (AEAPM-S-VR/Weapons Section), Unit 29230, APO AE 09102-9230.

APPENDIX D
EXTRACT FROM THE GERMAN WEAPONS LAW (ENGLISH TRANSLATION)

SECTION 5. RELIABILITY

(1) A person does not have the necessary reliability within the meaning of this law if facts justify the assumption that he/she:

1. Will misuse weapons and ammunition or use them in an irresponsible manner;
2. Will not handle weapons and ammunition carefully and properly and will not store them in a safe place;
3. Will transfer weapons and ammunition to persons who are not authorized to exercise actual control over them.

(2) As a rule, persons are not considered to have the necessary reliability if they--

1. Have been finally convicted of one of the following:

a) Crime against peace, high treason, endangering the democratic constitutional state, treason, or endangering external security;

b) Willful attack on the life or health of a person, rape, pandering, trespassing (*Land- or Hausfriedensbruch*), resistance to state officials, an offense endangering the public, or an offense against property or asset;

c) At least two offenses committed in a state of drunkenness;

d) An offense committed through negligence in connection with handling weapons, ammunition, or explosives;

e) An offense against this law, the Federal Weapons Law, the Reich Weapons Law, the Law on the Control of Weapons of War, the Explosives Act, or the Federal Hunting Law, if since the finality less than 5 years have elapsed. Any period during which the applicant was committed to an institution on order of the authorities will not be included in this period.

2. Have repeatedly or grossly contravened the provisions of one of the laws in number 1, letter e;

3. Are legally incompetent or have limited capacity to enter into legal transactions;

4. Are alcoholics, drug addicts, mentally ill, or mentally deficient.

(3) If proceedings pursuant to paragraph (2), number 1, are not yet completed, the responsible authority may delay the decision regarding the application for a permit, weapons possession card, or ammunition acquisition permit until the proceedings have been completed by final decision.

(4) If facts are known that justify reservations with regard to reliability within the meaning of paragraph (2), number 4, or with regard to the physical suitability pursuant to section 30, paragraph (1), sentence 2, the responsible authority may demand that the applicant produce a certificate from a medical officer or medical expert with regard to his or her mental and physical suitability.

GLOSSARY

SECTION I ABBREVIATIONS

AE	Army in Europe
AFI	Air Force instruction
AR	Army regulation
BATF	U.S. Bureau of Alcohol, Tobacco, and Firearms
<i>BVA</i>	<i>Bundesverwaltungsamt</i>
CEA	Customs Executive Agency, Office of the Provost Marshal, HQ USAREUR/7A
CFR	Code of Federal Regulations
CG, USAREUR/7A	Commanding General, United States Army, Europe, and Seventh Army
CSF	chief of security forces
CTUS	customs territory, United States
DEROS	date eligible for return from overseas
DOD	Department of Defense
EURO	United States Army Installation Management Agency, Europe Region
FBI	Federal Bureau of Investigation
FRS	field registration station
HHG	household goods
HQ USAREUR/7A	Headquarters, United States Army, Europe, and Seventh Army
INS	Immigration and Naturalization Service
LLLA	local legal liaison authority
MPJR	military personnel record jacket
MWR	morale, welfare, and recreation
NATO	North Atlantic Treaty Organization
NICS	National Instant Criminal Background Check System
ODCSPER	Office of the Deputy Chief of Staff, Personnel, HQ USAREUR/7A
OPM	Office of the Provost Marshal, HQ USAREUR/7A
PCS	permanent change of station
PM	provost marshal
POF	privately owned firearm
RGC	rod and gun club
RMV	Registry of Motor Vehicles, Office of the Provost Marshal, HQ USAREUR/7A
SOFA	Status of Forces Agreement
SOP	standing operating procedure
SSN	social security number
TDY	temporary duty
U.S.	United States
USAFE	United States Air Forces in Europe
USAREUR	United States Army, Europe
USC	United States Code
USCS	United States Customs Service
USEUCOM	United States European Command
USNAVEUR	United States Naval Forces, Europe
<i>WaffG</i>	<i>Waffengesetz</i>

SECTION II TERMS

ammunition

Cartridge cases, primers, bullets, or propellant charges in assembled form that are designed to be fired from any weapon. This term does not include propellant powder (black or smokeless) except when incorporated into a cartridge that is ready to be fired, nor does it include unloaded nonmetallic shotgun hulls or casings that do not have primers.

antique firearm

a. A firearm (including firearms with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured during or before 1898.

b. A replica of any firearm described in subparagraph a above, if the replica--

(1) Is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition.

(2) Uses rimfire or conventional centerfire fixed ammunition that is no longer manufactured in the United States and that is not readily available commercially.

approval authority

The persons in subparagraphs a through f below are the only approval authorities for AE Form 190-6D (USAREUR Application for Registration of a Firearm), AE Form 190-6H(a) and AE Form 190-6H(b) (Commander's Statement of Reliability/ *Unbedenklichkeitsbescheinigung*) and for AE Form 190-6D, Part B (Application for Issuance of a Permit Pursuant to the Weapons Law (*WaffG*)/*Antrag auf Erteilung einer Erlaubnis nach dem Waffengesetz (WaffG)*). They may not delegate this approval authority. No individual may approve his or her own application. Officers holding positions over those listed below may approve applications for senior commanders:

a. Area support group commanders.

b. Base support battalion commanders.

c. Battalion-level commanders in USAREUR.

d. The CG, USAREUR7A, Liaison Officer at the American Embassy in Berlin.

e. The first O5 in a command position in the applicant's chain of command in USNAVEUR.

f. The first O5 commander in the applicant's chain of command in USAFE.

black powder firearm

Any firearm using antique ignition systems such as matchlock, flintlock, or percussion caps (including muzzleloaders, breechloaders, and revolvers). Black powder firearms do not require U.S. Bureau of Alcohol, Tobacco, and Firearms approval. Single-shot black powder weapons are not required to be registered in the U.S. Forces system or the German systems; however, multifiring black powder weapons must be registered in both systems.

competent authority

The area support group, base support battalion, or senior tactical commander (for Army personnel) or equivalent USAFE or USNAVEUR commander (first O5 in the individual's chain of command) (for Air Force and Navy personnel) senior to the applicant who can give personal assurance of the applicant's character to own a privately owned firearm.

controlled items

Items that may be owned and used in the manner for which intended but for which restrictions on their use or transport have been imposed.

a. Any of the following if carried in a concealed manner or if displayed openly, brandished, or carried in the presence of other persons in a manner likely to make reasonable persons fear for their safety:

(1) Straight razors, razor blades, and weapons made from razor blades.

(2) Bolo knives, bows and crossbows, daggers, ice picks, machetes, spears, swords of any size, and similar instruments.

(3) Clubs and other objects that may be used as a club to inflict bodily harm (for example, pieces of wood or pipe, stones, bricks).

(4) Authentic-appearing replicas of firearms (for example, toy guns, BB guns).

(5) Blank cartridge pistols.

(6) Any other object that may be used readily to inflict bodily harm (for example, those designed to injure through strangulation such as barbed-wire flails, bicycle chains, canes with sharp points made of either wood or metal, broken bottles, broken wine or beer glasses, small knives with retractable blades).

(7) Kama, tanto, tonfu, yawara, and other martial-art weapons or practice devices.

b. Paintball airguns with a muzzle energy of 5.5 foot-pounds (7.5 joules) or less will be carried and used only during organized survival games in authorized areas while wearing eye protection. Paintball airguns with a muzzle energy of more than 5.5 foot-pounds are not authorized for use in survival games conducted on U.S.-Forces-controlled property.

c. Knives with blades longer than 3 inches will not be carried except when one of the following applies:

(1) The knife is Government-issued, deemed by the commander as necessary for the performance of an individual's duty, and authorized to be carried while performing the duty.

(2) The knife is authorized to be carried while an individual is hunting, fishing, camping, or engaged in other related sporting events.

destructive device

a. Any explosive, incendiary, or poison gas (for example, bomb, grenade, mine, rocket with a propellant charge of more than 4 ounces, missile with an explosive or incendiary charge of more than ¼ ounce).

b. Any device similar to, or that can be readily converted to, those described in subparagraph a above.

c. Molotov cocktail (gasoline or flammable substance with a flashpoint below 140 degrees Fahrenheit in a glass bottle).

privately owned firearm

a. Any weapon not officially issued that is designed for, can be used for, or can be readily converted to be used for attack, defense, sports, games, or hunting by driving a projectile through a barrel (including multifiring black powder weapons but excluding spring-activated or spring-powered BB guns, air rifles, air pistols, pump-type pellet guns, and paintball air guns).

b. The frame or receiver for any weapon described in subparagraph a above.

c. Interchangeable barrels that have their own serial number.

prohibited item

Property or weapon that is prohibited by the U.S. National Firearms Act. The possession of these items is prohibited in the jurisdictions of the Army in Europe, USNAVEUR, and USAFE, and violates the U.S. National Firearms Act, sections 5801 et seq, the title 25, United States Code. The following are examples of prohibited items:

a. Machineguns (that is, any weapon that shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot without manual reloading by a single function of the trigger). This term also includes the frame or receiver of any such weapon, any combination of parts designed and intended for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled, if such parts are in the possession or under the control of a person.

b. Shotguns with a barrel or barrels less than 18 inches long.

c. Any weapons made from a shotgun (by modification) with an overall length less than 26 inches or with a barrel or barrels less than 18 inches long.

- d. Rifles with a barrel less than 16 inches long.
- e. Any weapons made from a rifle (by modification) with an overall length less than 26 inches or a barrel less than 16 inches long.
- f. Any other weapons or devices (excluding pistols and revolvers) capable of being concealed on a person from which a shot can be discharged through the energy of an explosive.
- g. A pistol or revolver having a barrel with a smooth bore that is designed or redesigned to fire shotgun shells.
- h. Weapons with combination shotgun and rifle barrels at least 12 but less than 18 inches long from which only a single discharge can be made from either barrel without manual reloading, including weapons that may be readily restored to fire.
- i. Silencers or mufflers for any weapon.
- j. Destructive devices.
- k. Unregistered firearms.
- l. Switchblade knives.
- m. Knives with an automatic blade opener. This includes knives in which the blade snaps forth from the grip--
 - (1) On pressing a button or lever or on releasing a catch with which the blade can be locked (spring knife).
 - (2) By weight or by swinging motion and is locked automatically (gravity knife).
 - (3) By any operation, alone or in combination, of gravity or spring mechanism and can be locked.
- n. Club-type hand weapons (for example, blackjacks, brass knuckles, nunchaku).
- o. Gas pistols and shooting pens (for example, fountain pens or automatic, pencil-type pens capable of discharging a chemical agent). Weapons that discharge water and blanks are exempted.
- p. Shooting-weapons or blades that are--
 - (1) Particularly equipped to be collapsed, telescoped, or shortened.
 - (2) Stripped beyond the normal extent required for hunting or sporting.
 - (3) Concealed in other devices (for example, walking sticks, umbrellas, tubes).
- q. Shooting weapons with mounted searchlights, devices that serve to illuminate or flash the target or to light the means of aiming, and night-aiming devices that have an image converter or electronic intensification and are intended for use with firearms.
- r. The following ammunition:
 - (1) Projectiles with anesthetic material that are intended for attack or defense purposes.
 - (2) Hollow-point projectiles primarily used with handguns (except for rimfire cartridges; the buyer must have a rifle registration to buy this type of ammunition).
 - (3) Needle projectiles.
 - (4) Semijacketed projectiles with a fracture point.

(5) Cartridge ammunition for firearms with rifled barrels with projectiles smaller in diameter than the diameter of the rifling land of the corresponding firearm. The projectiles are surrounded with a driving and guiding band that separates itself from the projectile after leaving the barrel.

(6) Revolver and pistol ammunition with projectiles predominantly or completely composed of hard material (Brinell hardness greater than 25hb 5/62, 5/30) or that have an explosive or incendiary composition.

(7) Rifle ammunition with hard-core and cartridge ammunition with fully jacketed, soft-core projectile, if the projectile contains a tracer, incendiary, or explosive composition or the ammunition is a caliber that is not fired from hunting or sport weapons.

s. Precision slingshots and armrest or comparable mechanisms for these devices.

t. Electrically charged or battery-operated “stunguns” designed to incapacitate persons.

u. Paintball airguns with a muzzle energy of more than 5.5 foot-pounds (7.5 joules).

reliability certification (*Unbedenklichkeitsbescheinigung*)

Certification of the applicant’s reliability and competence to handle, carry, and use weapons and ammunition safely.

United States

The 50 states, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

weapons prohibited by the U.S. National Firearms Act

The first four weapons (a through d) listed in this glossary under the term “prohibited item.” These items will not be kept even as war-trophy firearms, regardless of whether they are serviceable or welded-up. This prohibition is in addition to the prohibition on possession of such items.

SECTION III

GERMAN TERMS

Amt für Öffentliche Ordnung

registry office

Ausländerjagdschein

foreigners hunting license

Bedürfnisnachweis

certificate of need

Bundesverwaltungsamt (BVA)

German Federal Administration Office

Jagdschein

hunting license

Schusswaffen Kaufvertrag

weapons bill of sale

Sprengstoffwerbsschein

gunpowder permit

Unbedenklichkeitsbescheinigung

statement of reliability

Waffenbesitzkarte

weapons possession card

Waffengesetz (WaffG)
(German) Weapons Law

Waffenschein
weapons permit (to carry a weapon)

Waffenerwerbsschein
permit to purchase a weapon